

A RESOLUTION

04- R-1317

BY TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO A CONSOLIDATION AGREEMENT WITH PLANTATION PIPELINE COMPANY FOR THE PURPOSES OF CONSOLIDATING NUMEROUS PREVIOUS AGREEMENTS AND AUTHORIZING THE RELOCATION OF A PORTION OF THE PETROLEUM PRODUCTS PIPELINE CURRENTLY SERVICING HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FURTHER AUTHORIZING THE MAYOR TO ENTER INTO A PRELIMINARY ACCESS AND PIPELINE RIGHT OF ENTRY AGREEMENT TO ALLOW PROMPT COMMENCEMENT OF THE CONSTRUCTION OF THE RELOCATED PIPELINE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (the "City") has entered into numerous agreements over a period of approximately forty years with Plantation Pipeline Company (hereinafter referred to as "Plantation") for the purpose of effecting the transportation and conveyance of aviation fuel to Hartsfield-Jackson Atlanta International Airport (the "Airport") from producers and shippers of petroleum products available on Plantation's pipeline system, and from said pipeline system to terminating, tankage and delivery facilities operated by Plantation upon the City's property at the Airport; and

WHEREAS, Plantation desires to relocate a portion of its petroleum products pipeline which is located on Airport property in an effort to shorten the pipeline, move it away from the Airport's runways and operating facilities, and provide the City and Plantation with a service line which is one consistent size, making it possible to utilize in-pipe inspection tools for pipe wall inspection for integrity purposes; and

WHEREAS, Plantation proposes consolidating the existing agreements in a Consolidation Agreement, and authorizing prompt commencement of construction on the pipeline relocation project through the execution of a Preliminary Access and Plantation Right of Entry Agreement; and

WHEREAS, the City and Plantation desire to proceed with the execution of said agreements.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor or her designee be and hereby is authorized to execute a Consolidation Agreement for Aviation Fuel Delivery, in addition to a Preliminary Access and Pipeline Right of Entry Agreement.

BE IT FURTHER RESOLVED that the City Attorney be and hereby is directed to prepare said Agreements for execution by the Mayor.

BE IT FINALLY RESOLVED that said Consolidation Agreement, said Preliminary Access and Pipeline Right of Entry Agreement, or any other legal instrument, as may be required, shall not become binding upon the City, and the City shall incur no obligation nor liability there under until the same shall have been signed by the Mayor or her designees and delivered to Plantation.